

REMARKS

Status of Claims

Claims 22-47 and 50-59 are pending in the above-captioned application. By this Amendment, claims 25-30, 32, 36-40, and 47 are amended and claims 22-24, 31, 33-35, 41-46, and 50-59 are canceled without prejudice or disclaimer of the subject matter therein. No new matter is added by this Amendment.

Applicant respectfully thanks the Examiner for indicating that claims 25-30, 32, 36-40, and 47 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. (Final Office Action at 6.) Applicant further appreciates the courtesy extended by Examiner Menon during a telephone interview with the undersigned on June 28, 2005, to discuss the outstanding Final Office Action.

Response to Rejections and Objections

In the Final Office Action dated March 8, 2004, the Examiner rejected claims 53-59 under the judicially created doctrine of double patenting over claims 1, 9-11, 14, and 15 of U.S. Patent No. 6,730,233; rejected claims 22, 23, 43, and 51-59 under 35 U.S.C. § 102(b) as being anticipated by an English translated copy of WO 98/50091; rejected claims 24, 31, 33, 35, 41, 42, 44, 45, 46, and 50 under 35 U.S.C. § 103(a) as being unpatentable over WO 98/50091 in view of U.S. Patent No. 5,762,805 to Truitt et al.; and rejected claim 34 under 35 U.S.C. § 103(a) as being unpatentable over WO translation in view of Truitt et al., in view of WO 00/09182.

By this Amendment and in accordance with the Examiner's instructions, Applicant amends claims 25-30, 32, 36-40, and 47 to include all of the limitations of the base claim and any intervening claims. More particularly, Applicant amends dependent claim 25 to include the limitations of dependent claim 24 and independent claim 22;

amends dependent claims 27 and 28 to include the limitations of independent claim 22; amends dependent claim 32 to include the limitations of dependent claim 31 and independent claim 22; amends dependent claim 36 to include the limitations of independent claim 33; and amends dependent claim 47 to include the limitations of independent claim 46.

Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 25-30, 32, 36-40, and 47 in condition for allowance. Applicant submits that the proposed amendments of claims 25-30, 32, 36-40, and 47 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were earlier claimed. Accordingly, this Amendment is in condition to allow for immediate action by the Examiner.

Further, Applicant respectfully points out that the Final Office Action presented some new arguments regarding the references cited against Applicant's invention. Applicant disagrees with the Examiner's arguments regarding the applicability of the cited references to these claims. Although Applicant canceled claims 22-24, 31, 33-35, 41-46, and 50-59, Applicant reserves the right to traverse these arguments and file similar claims in a continuation application.

Conclusion

In view of the foregoing remarks, Applicant submits that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the entry of this

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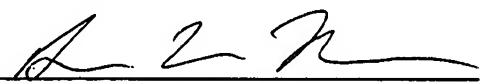
Amendment, the Examiner's reconsideration and reexamination of the application, and
the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: July 8, 2005

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